

Appln. No. 10/687,013

Attorney Docket No. 10541-1870

**II. Remarks**

Reconsideration and re-examination of this application in view of the above amendments and the following remarks is herein respectfully requested.

Claims 1, 4-6, 8, 10-17, 25, and 26 have been amended. Claims 3 and 18 have been cancelled. Accordingly, claims 1, 2, 4-17, 18-27 remain pending.

*Claim Objections*

Claim 3 has been amended to recite "a torque" providing antecedent basis.

Claim 5 has been amended to recite "a road wheel angle" thereby providing proper antecedent basis.

Claim 13 has been amended to recite "an angle of the road wheel" providing proper antecedent basis.

Claim 15 was not amended since "the angle" receives proper antecedent basis from claim 13.

Claim 16 was amended to recite "a rate of change" thereby providing proper antecedent basis.

Claim 20 was not amended since "the angle" receives proper antecedent basis from claim 17.

Claim 21 was amended to recite "a rate of change" thereby providing proper antecedent basis.

Claim 25 was amended to recite "a steering wheel angle" thereby providing proper antecedent basis.

Claim 26 was amended to provide proper antecedent basis to "a steering wheel angle".

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*Claim Rejections - 35 U.S.C. § 112*

Claims 4-6, 8 and 10-16 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention.

Claims 4-6, 8 and 10-16 were amended to reference "the controller" or "a sensor" providing additional structure to the apparatus claims and particularly pointing out and distinctly claiming the subject matter which Applicants regard as the invention. Accordingly, Applicants respectfully request withdrawal of the rejections under 35 U.S.C. §112.

*Claim Rejections - 35 U.S.C. §102(b)*

Claims 1, 4, 7, 9, 10, 12, 17, 22, 24, 25 and 27 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent 6,598,695 to Menjak et al. (Menjak).

Claims 1 and 17 have been amended to include the limitations of claims 3 and 18 respectively, previously noted by the Examiner as containing allowable subject matter. Claims 4, 7, 9, 10, 12, 22, and 24 depend, directly or indirectly, from claims 1 or 17 and are, therefore, patentable for at least the same reasons given in support of claims 1 and 17 above. Accordingly, Applicants respectfully request withdrawal of the rejections under 35 U.S.C. §102.

*Claim Rejections - 35 U.S.C. §103(a)*

Claims 2 and 19 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent 6,598,695 to Menjak et al. (Menjak) in view of U.S. Patent 6,389,343 to Hefner et al. (Hefner).

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Claim 5 was rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent 6,598,695 to Menjak et al. (Menjak) in view of U.S. Patent 6,557,662 to Andonian et al. (Andonian).

Claim 6 was rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent 6,598,695 to Menjak et al. (Menjak) in view of U.S. Patent 6,523,637 to Nakano et al. (Nakano).

Claim 8 was rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent 6,598,695 to Menjak et al. (Menjak) in view of U.S. Patent 6,422,335 to Miller (Miller).

Claims 11, 13 and 26 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent 6,598,695 to Menjak et al. (Menjak) in view of U.S. Patent 6,484,838 to Borsting et al. (Borsting).

Claims 14 and 23 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent 6,598,695 to Menjak et al. (Menjak) in view of U.S. Patent 6,484,838 to Borsting et al. (Borsting) and in further view of U.S. Patent 6,422,335 to Miller (Miller).

Claims 15 and 20 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent 6,598,695 to Menjak et al. (Menjak) in view of U.S. Patent 6,484,838 to Borsting et al. (Borsting) and in further view of U.S. Patent 6,557,662 to Andonian et al. (Andonian).

Claims 16 and 21 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent 6,598,695 to Menjak et al. (Menjak) in view of U.S. Patent 6,484,838 to Borsting et al. (Borsting) and in further view of U.S. Patent 6,523,637 to Nakano et al. (Nakano).



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Independent claims 1 and 17 have been amended to include the limitations of claims 3 and 18 respectively, previously noted by the Examiner as containing allowable subject matter. Claims 2, 5, 6, 8, 11, 13, 14, 15, 16, 19, 20, 21, 23 and 26 depend, directly or indirectly, from claims 1 or 17 and are, therefore, patentable for at least the same reasons given in support of claims 1 and 17 above. Accordingly, Applicants respectfully request withdrawal of the rejections under 35 U.S.C. §103.

*Conclusion*

In view of the above amendments and remarks, it is respectfully submitted that the present form of the claims are patentably distinguishable over the art of record and that this application is now in condition for allowance. Such action is respectfully requested.

Respectfully submitted by,

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